

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MURUGANANANDAM ARUMUGAM,

Defendant.

Case No. CR19-041-RSL

ORDER CONTINUING  
TRIAL DATE

This matter comes before the Court on the government's "Motion for an Order Addressing the Continuance of the Trial." (Dkt. # 171). Defendant opposes the government's motion on speedy trial grounds. Dkt. # 172. Having considered the parties' submissions and the remainder of the record, the Court finds as follows:

1. On April 5, 2019, the Court granted defendant's unopposed motion to continue his original trial date of May 6, 2019 to November 12, 2019 to allow defense counsel reasonable time necessary for effective preparation. Dkt. # 28.

2. On October 4, 2019, the Court granted the parties' joint motion to continue the trial date until March 16, 2020 due to the nature of the pending motions and need for additional time for trial preparation. Dkt. # 52.

3. From March 13, 2020 to April 5, 2021, the Court, three times acting *sua sponte* and four times over defendant's objection on speedy trial grounds, struck the trial date once and continued the trial date seven times, ultimately to July 19, 2021, due to the COVID-19 pandemic

1 and corresponding Western District of Washington General Order Nos. 01-20, 02-20, 03-20, 07-  
2 20, 08-20, 11-20, 13-20, 15-20, 18-20, 04-21. Beginning in its Order issued on September 9,  
3 2020, the Court also noted that defendant was incarcerated in King County Jail pending trial in  
4 King County Superior Court. Dkts. # 120, 121, 126, 143, 144, 147, 159, 165.

5 4. From July 12, 2021 to October 28, 2021, the Court, once over defendant's  
6 objection on speedy trial grounds, continued the trial date twice, ultimately to February 28,  
7 2022, on the grounds that defendant's detention in King County Jail pending trial in King  
8 County Superior Court rendered him unavailable to appear for trial in the above-captioned  
9 matter. Dkts. # 167, 170.

10 5. Defendant's trial is currently scheduled for February 28, 2022. The government  
11 requests a continuance to September 12, 2022. Dkt. # 171.

12 6. The Court adopts the facts set forth in the government's motion: in particular, that  
13 as of January 26, 2022, defendant's three state sex offenses are set to be separately tried in three  
14 trials beginning on March 8, 2022 in King County Superior Court, and defendant remains  
15 detained in King County Jail. Id.; see also King Cty. Dep't of Adult & Juvenile Det., Jail  
16 Inmate Lookup Service, <https://dajd-jms.powerappsportals.us/public/subject-lookup/> (last  
17 visited Feb. 4, 2022). The Court therefore finds that proceeding with an earlier trial in the  
18 above-captioned matter would likely be impossible or would result in a miscarriage of justice, as  
19 set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

20 7. Due to defendant's pending King County Superior Court trials, the Court  
21 specifically finds that the ends of justice served by continuing the trial in this case outweigh the  
22 best interest of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(7)(A).

23 8. The Court also finds that defendant's incarceration in another jurisdiction pending  
24 state trials renders him unavailable to appear for trial in the above-captioned matter on the  
25 February 28, 2022 trial date previously scheduled. Pursuant to 18 U.S.C. § 3161(h)(1)(B), the  
26 delay resulting from defendant's trials in King County Superior Court constitutes a period of  
27 delay that the Court will exclude for speedy trial purposes.  
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